
OLR Bill Analysis

sHB 5256

AN ACT CONCERNING THE COMPENSATION OF WORKERS ON FAMILY HOLIDAYS.

SUMMARY:

This bill requires employers with at least five hourly wage-earning employees to give hourly employees extra compensation for working at the employers' retail businesses on Thanksgiving or Christmas. For their work on these days, the employees must receive either (1) two-and-a-half times their regular wage rate or (2) one-and-a-half times their regular rate plus future paid time off (at their regular rate) equal to the time they worked on the holiday.

Under the bill, a "retail business" is one with a fixed, permanent location whose principal activity is continually exhibiting or selling goods, wares, or merchandise. Employees eligible for the additional compensation are those covered by the state's minimum wage requirement (generally, hourly wage workers, but not salaried managerial and professional employees). An employee's "regular rate" is determined as it is under the law's requirement for overtime pay and does not include certain types of compensation such as gifts, bonuses, expenses, and retirement or health insurance benefits.

Employees alleging a violation can complain to the labor commissioner, who can hold a hearing on the complaint. If the labor commissioner finds an employer in violation by a preponderance of the evidence, the employer must pay a fine of up to \$100 for each violation. The labor commissioner can also award an employee all appropriate relief, including back pay. Parties aggrieved by the commissioner's decision can appeal to the Superior Court.

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 7 Nay 5 (03/11/2014)